

### **REMARKS**

In response to the Office Action mailed February 23, 2005, Applicant respectfully requests reconsideration. Claims 1-2, 5-8, 10-27, 30-33 and 35-66 have been previously examined. By this Amendment, claims 11, 13-15, 17, 22, 24, 25, 27, 30-33, 36-42, 44-46 and 49 are amended. Claims 1, 2, 5-8, 10, 26, 35, 43, 47, 48 and 52-66 are canceled. No claims have been added. Accordingly, claims 11-25, 27, 30-33, 36-42, 44-46 and 49-51 are pending in this application, of which claims 11, 13, 24, 33, 36, 40-42, 44-46 and 49 are independent claims. The application as presented is believed to be in allowable condition.

#### **I. Allowable Subject Matter**

Applicant appreciates the Examiner's indication of allowable subject matter on page 7, item 9 of the Office Action. The Office Action indicates that claims 11-16, 24, 33, 36, 40-42, 44-46, 49-51 are objected to but would be allowed if rewritten in independent form including all of the limitations of the base claim and any intervening claims. Claims 11, 13, 24, 33, 36, 40-42, 44-46 and 49 have been rewritten in independent form and amended to incorporate all of the subject matter of their respective independent claim and any intervening dependent claims, as described in further detail below.

Claim 11 has been rewritten in independent form incorporating all of the subject matter of claim 10. Therefore, claim 11 is in allowable condition. Claim 12, 17-23 and 25 depend from claim 11 and are allowable for at least the same reasons.

Claim 13 has been rewritten in independent form incorporating all of the subject matter of claim 10. Therefore, claim 13 is in allowable condition. Claims 14-16 depend from claim 13 and are allowable for at least the same reasons.

Claim 24 has been rewritten in independent form incorporating all of the subject matter of claims 10 and 22. Therefore, claim 24 is in allowable condition.

Claim 33 has been rewritten in independent form incorporating all of the subject matter of claim 26. Therefore, claim 33 is in allowable condition. Claims 27 and 30-32 depend from claim 33 and are allowable for at least the same reasons.

Claim 36 has been rewritten in independent form incorporating all of the subject matter of claim 35. Therefore, claim 36 is in allowable condition. Claims 37-39 depend from claim 36 and are allowable for at least the same reasons.

Claim 40 has been rewritten in independent form incorporating all of the subject matter of claim 35. Therefore, claim 40 is in allowable condition.

Claim 41 has been rewritten in independent form incorporating all of the subject matter of claim 35. Therefore, claim 41 is in allowable condition.

Claim 42 has been rewritten in independent form incorporating all of the subject matter of claim 35. Therefore, claim 42 is in allowable condition.

Claim 44 has been rewritten in independent form incorporating all of the subject matter of claim 43. Therefore, claim 44 is in allowable condition.

Claim 45 has been rewritten in independent form incorporating all of the subject matter of claim 43. Therefore, claim 45 is in allowable condition.

Claim 46 has been rewritten in independent form incorporating all of the subject matter of claim 43. Therefore, claim 46 is in allowable condition.

Claim 49 has been rewritten in independent form incorporating all of the subject matter of claims 47 and 48. Therefore, claim 49 is in allowable condition. Claims 50 and 51 depend from claim 49 and are allowable for at least the same reasons.

## **II. Rejections Under 35 U.S.C. 103**

### **A. Claims 1, 10, 26, 35, 43 and 47**

The Office Action rejects claims 1-3, 5-8, 10, 17-23, 25-27, 30-32, 35, 37-39, 43, 47 and 48 under 35 U.S.C. § 103 as being unpatentable over Killpatrick (Dissertation) in view of Matsuda et al. (U.S. Patent No. 5,768,565) and Basdogan et al. (U.S. Patent No. 6,704,694). While Applicant does not agree with the rejection or concede that the combination of Killpatrick, Matsuda and Basdogan is proper, claims 1-3, 5-8, 10, 26, 35, 43, 47 and 48 are canceled herein, without prejudice or disclaimer, to further the prosecution of this application. The remaining dependent claims subject to the above rejection depend from or have been amended to depend

from claims indicated as including allowable subject matter and rewritten in independent form, as described above in Section I.

B. Claims 52-61

Claims 52-61 are rejected under 35 U.S.C. 103(a) as being unpatentable over Shih et al. (US Patent No. 6,421,048) in view of Xavier (US Patent No. 6,407,748). While Applicant does not agree with the rejection or concede that the combination of Shih and Xavier is proper, claims 52-61 have been canceled herein, without prejudice or disclaimer, to further the prosecution of this application.

C. Claims 62-66

Claims 62-66 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gillio (US Patent No. 5,800,177). While Applicant does not agree with the rejection, claims 62-66 have been canceled herein, without prejudice or disclaimer, to further the prosecution of this application.

Applicant reserves the right to pursue any of the canceled claims in one or more continuation applications. In addition, Applicant reserves the right to argue the properness of the combinations set forth in the above rejections in subsequent prosecution of any canceled, pending or new claim. As a result of the above amendments and cancellations, each of the pending claims in the application are in allowable condition.

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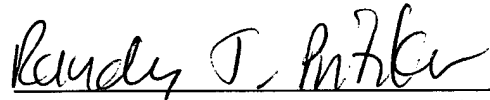
**CONCLUSION**

A Notice of Allowance is respectfully requested. The Examiner is requested to call the undersigned at the telephone number listed below if this communication does not place the case in condition for allowance.

If this response is not considered timely filed and if a request for an extension of time is otherwise absent, Applicant hereby requests any necessary extension of time. If there is a fee occasioned by this response, including an extension fee, that is not covered by an enclosed check, please charge any deficiency to Deposit Account No. 23/2825.

Respectfully submitted,  
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